

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

PATRICIA SMITH,

Petitioner,

v.

Civ. 13-17/Cr. 11-1881 JAP/GBW

UNITED STATES OF AMERICA,

Respondent.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS AND
RECOMMENDED DISPOSITION**

This matter comes before the Court on Applicant's Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct a Sentence by a Person in Federal Custody. *Doc. 1.* Applicant argued that her counsel was constitutionally ineffective during negotiation of her plea agreement and the entry of her plea. *Id.* She also challenged the length of her sentence. *Id.*

The Magistrate Judge filed his Proposed Findings and Recommended Disposition (PFRD) on January 29, 2013. *Doc. 9.* He recommended dismissing Applicant's ineffective assistance claims meritless and the claims related to her sentence as procedurally barred. *Id.*

Applicant has filed no objections to the PFRD, and, upon review of the record, I concur with the Magistrate Judge's findings and recommendations.

Wherefore, IT IS HEREBY ORDERED that the Magistrate Judge's Proposed Findings and Recommended Disposition, *doc. 9*, is ADOPTED. Petitioner's claims are DISMISSED with prejudice.



SENIOR UNITED STATES DISTRICT JUDGE